

Introduced by Senator Hollingsworth

February 27, 2009

An act to add section 41814 to the Health and Safety Code, relating to air resources.

LEGISLATIVE COUNSEL'S DIGEST

SB 554, as introduced, Hollingsworth. Air pollution control districts: residential wood-burning devices.

Existing law designates air pollution control districts and air quality management districts as having the primary responsibility for the control of air pollution from all sources other than vehicular sources. Existing law designates the State Air Resources Board as the state agency charged with coordinating efforts to attain and maintain ambient air quality standards. Existing federal regulations establish standards of performance for new residential wood heaters.

Existing law requires the state board, in consultation with the districts, to develop a list of the most readily available and cost-effective control measures that could be employed by the state board and districts to reduce emissions of PM 2.5 and PM 10 particulate matter. Existing law requires that the list include control measures for woodstoves and fireplaces among other emission source categories. Existing law requires the state board and each district to adopt an implementation schedule for the most cost-effective measures on the list.

This bill would prohibit any district from adopting a rule or regulation that restricts or prohibits the installation or operation of any wood-burning device in any new or existing residential structure.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 41814 is added to the Health and Safety
- 2 Code, to read:
- 3 41814. A district may not adopt or implement any rule or
- 4 regulation that restricts or prohibits any of the following:
- 5 (a) Installation of any wood-burning fireplace, wood-burning
- 6 heater, or wood-burning stove in any new or existing residential
- 7 structure.
- 8 (b) Operation of a wood-burning fireplace, wood-burning heater,
- 9 or wood-burning stove at any new or existing residential structure.